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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Michael Lacey, *et al.*,

Defendants.

Case No. 2:18-cr-00422-SMB

**NOTICE OF WITHDRAWAL OF
SUBPOENA TO CARL FERRER**

Defendant James Larkin, through his undersigned counsel, hereby notifies the Court and all parties that Defendants withdraw the previously issued subpoena for Carl Ferrer to appear at October 3, 2019's evidentiary hearing. Undersigned counsel notified Ferrer's counsel of the same via email earlier today. The withdrawal of Ferrer's subpoena obviates the need for the Court to adjudicate the pending motions at Doc. Nos. 739, 748, 749, 753, and 756. Excludable delay under 18 U.S.C. § 3161 will not occur as a result of this notice or of an order based thereon.

Respectfully submitted,

DATED: October 1, 2019

BIENERT | KATZMAN PC

/s/ Whitney Z. Bernstein
Whitney Z. Bernstein
Thomas H. Bienert, Jr.
Attorneys for James Larkin

CERTIFICATE OF SERVICE

I certify that on this 1st day of October, 2019, I electronically transmitted a PDF version of this document to the Clerk of the Court, using the CM/ECF System, for filing and for transmittal of a Notice of Electronic Filing to the following CM/ECF registrants listed below.

/s/ Toni Thomas

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